

FILED
U.S. DISTRICT COURT

2012 JAN 17 A 9:54

DISTRICT OF UTAH

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
NORTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JEFFERY JOHN WIRTH,
Defendant.

ORDER ADOPTING REPORT &
RECOMMENDATION

Case No. 1:10-cr-63-DB-SA
Judge Dee Benson

Before the Court is the Report and Recommendation issued by United States Magistrate Samuel Alba on December 7, 2011, recommending that this Court deny Defendant's motion to suppress. The parties were notified of their right to file objections to the Report and Recommendation within fourteen (14) days after receiving it. Neither party filed an objection to the Report and Recommendation.

Having reviewed all relevant materials, including Defendant's motion to suppress, Defendant's post-*Franks* hearing memorandum, the record that was before the magistrate judge, and the reasoning set forth in the magistrate judge's Report and Recommendation, the Court

agrees with the analysis and conclusion of the magistrate judge. Accordingly, the Court ADOPTS the Report and Recommendation and issues the following Order. Defendant's motion to suppress is DENIED.

DATED this 13th day of January, 2012.

A handwritten signature in black ink, reading "Dee Benson". The signature is written in a cursive, flowing style. The first name "Dee" is written with a large, stylized 'D' that loops around the first letter of the last name. The last name "Benson" is written in a more standard cursive script.

Dee Benson

United States District Judge